



Memorandum of Understanding (MOU)
between the
State of Wisconsin Department of Workforce Development/Division of Vocational Rehabilitation
and
State of Wisconsin Department of Health Services/Division of Public Health/Bureau of Aging and
Disability Resources
for
Agreement for the Distribution and Monitoring of \$600,000 in Social Security Act Reimbursement Funds
to Wisconsin Independent Living Centers

DHS MOU No.: MOU23-ILC-SSAReimb-00

MOU Amount, If Applicable: \$600,000

MOU Term Period: July 1, 2022, - June 30, 2023, ongoing on an annual basis

Department of Workforce Development/Division of Vocational Rehabilitation (DWD/DVR)

MOU Administrator: Pamela McGillivray

Telephone: 608-261-4576

Email: pamela.mcgillivray@dwd.wisconsin.gov

Department of Health Services/Division of Public Health (DHS/DPH)

MOU Administrator: Debra Standridge

Telephone: 608-261-9444

Email: debra.standridge@dhs.wisconsin.gov

DWD/DVR and (DHS/DPH) acknowledge that they have read the Memorandum of Understanding (MOU) and any attached documents, understand them and agree to be bound by their terms and conditions. Further, DWD/DVR and (DHS/DPH) agree that the MOU and any exhibits and documents incorporated herein by reference are the complete and exclusive statement of agreement between the parties relating to the subject matter of the MOU and supersede all proposals, letters of intent or prior agreements, oral or written and all other communications and representations between the parties relating to the subject matter of the MOU. DWD/DVR reserves the rights to reject or cancel MOUs based on documents that have been altered. This MOU becomes null and void if the time between the earlier dated signature and the later dated signature exceeds sixty (60) days, unless waived by DWD/DVR.

Entity Name: Wisconsin Department of Health Services

Entity Name: DWD

Authorized Representative


Authorized Representative

Name: Debra Standridge

Name: Pamela McGillivray

Title: Deputy Secretary, DHS

Title: DWD Deputy Secretary

Signature: DocuSigned by:

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Signature: DocuSigned by:

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Date: 8/12/2022

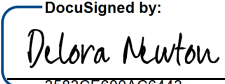
Date: 8/12/2022

Entity Name: DWD Division of Vocational Rehabilitation

Authorized Representative

Name: Delora Newton

Title: DVR Administrator

Signature: 
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Date: 8/11/2022

1. PURPOSE AND SCOPE

The following is a **Memorandum of Understanding (MOU)** between DWD/DVR and the DHS/DPH for the purpose of:

Transferring \$600,000 in Social Security Act (SSA) Reimbursement funds from DWD/DVR to DHS/DPH for independent living services (ILS). This MOU between DWD/DVR and DHS/DPH is to govern the distribution and use of SSA Reimbursement funds for ILS to Wisconsin's eight Independent Living Centers (ILCs) in Wisconsin consistent with the State Plan for Independent Living (SPIL) and other federal requirements. This MOU also addresses compliance with federal standards and assurances.

The Administration for Community Living (ACL), Office of Independent Living Programs (OILP) provides the following guidance concerning the Designated State Entity (DSE) as part of the changes to the Rehabilitation Act under the Workforce Innovation and Opportunity Act (WIOA). The term "designated state entity" is the agency that acts on behalf of the State for Title VII programs. The DSE carries out the legal and fiscal responsibilities for Independent Living services. Additionally, the SPIL must designate the DSE. The DSE in the current SPIL is DHS/DPH/Bureau of Aging and Disability Resources.

1.1 Scope of Work

- **Personnel:** DHS staff within the Bureau of Aging and Disability Resources (BADR), Office for the Promotion of Independent Living, will issue and oversee contracts with the eight Independent Living Centers (ILCs) to deliver independent living services as outlined in WIOA.
- **Activities and Timelines:** ILCs provide annual budget reports to DHS/DPH. ILCs also submit their annual federal Program Performance Reports (PPR), on an annual basis to DHS/DPH which identify independent living services provided, and to whom, statewide. ILCs scope of work as outlined in their contracts in relation to SSA Reimbursement Funds is included in Exhibit A.
- **Financial Components:** Pass-through funds from DWD/DVR will be issued to ILCs on a state fiscal year (July 1 – June 30) basis and distributed as outlined in the approved SPIL (see chart below). ILCs will complete a budget request form that will be submitted to DHS/DPH and DWD/DVR for approval. ILCs will also provide an annual program and financial report to DHS/DPH. DHS/DPH will provide this information to DWD/DVR. DHS/DPH will also bill DWD/DVR on a quarterly basis for SSA Reimbursement expenses incurred by the ILCs.

ILC	Funding Source: ILC State GPR	Funding Source: Social Security Act Reimbursement Funds	TOTAL SFY Award (all funding sources)
Access	\$44,395	\$27,085	\$71,480
Society's Assets	\$182,682	\$111,448	\$294,130
Independence First	\$19,483	\$11,887	\$31,370
IndiGO (DBA North Country IL)	\$182,682	\$111,448	\$294,130
CILWW	\$6,212	\$3,788	\$10,000
ILR	\$182,682	\$111,448	\$294,130
Options	\$182,682	\$111,448	\$294,130
Mid-State	\$182,682	\$111,448	\$294,130
TOTAL	\$983,500	\$600,000	\$1,583,500

A. Applicable Federal and State Regulations

Title I, Section 108 of the Rehabilitation Act of 1973 (Act) requires that amounts provided to the State under the Social Security Act (42 U.S.C. 301 et seq.) may not be expended for any purpose other than carrying out programs for which the State receives financial assistance under title VI, or under title VII, of the Act under Section 110 (29 U.S.C. 728). In Wisconsin, the Department of Workforce Development (DWD), Division of Vocational Rehabilitation (DVR), receives these Social Security Act Reimbursement funds.

The Workforce Innovation and Opportunity Act (WIOA) transferred Independent Living Services and Centers for Independent Living programs authorized under Chapter I, Title VII of the Act, as amended by WIOA (Pub. L. 113-128) from the Rehabilitation Services Administration (RSA), U.S. Department of Education (ED), to the Administration for Community Living (ACL), U.S. Department of Health and Human Services (HHS). WIOA also transferred the National Institute on Disability, Independent Living, and Rehabilitation Research, and the Assistive Technology Act programs to ACL.

Under Title VII of Act, as amended by WIOA, the Designated State Entity (DSE) receives federal financial assistance under Title VII, Part B, State Independent Living Services (SILS) program and the Centers for Independent Living (CIL) program. In Wisconsin, the DSE is the Department of Health Services (DHS), Division of Public Health (DPH).

Thus, funding under this MOU between DWD/ DVR and DHS/ DPH is for the purpose of carrying out Independent Living Services under Title VII of the Rehabilitation Act of 1973 in the State of Wisconsin.

Applicable State Statutes include:

- DWD/DVR Wis. Stat. § 20.445(5)(n) - Department of Workforce Development Appropriations;
- DHS/DPH Wis. Stat. § 20.435(7)(kc) - Department of Health Services Appropriations; and
- ILC Wis. Stat. § 46.96 - Independent Living Center grants; Independent Living Services.

B. Use of Funds

The DSE is the entity identified by the State and named in the SPIL. The DSE must submit to the Administrator (HHS/ACL) and receive approval of the State plan in order to receive funding under the Rehabilitation Act of 1973 (Act) as amended.

Funds may be used to deliver all required core Independent Living Services (ILS), as expanded by WIOA, and identified by federal regulations and/or activities and services identified in the approved SPIL. Each Independent Living Center (ILC) will submit a plan for approval by DHS/DPH reflecting the activities and a budget for these funds related to the core ILS as outlined in the SPIL.

DHS/DPH will share the Grant Continuation Plan and Budget for each ILC with DWD/DVR for review prior to approval. Funds shall not be released to the ILC until the plan and budget is approved by DHS/DPH.

Other federal funds, including Social Security Act funds, may also be used consistent with designated uses for general Center for Independent Living (CIL) operations, including providing Independent Living Services (ILS) and support for outreach to underserved groups.

Additionally, state funds under Wis. Stat. § 46.96 and Vocational Rehabilitation program revenue will be used for general CIL operations, including provision of ILS, consistently with designated uses for Title VII, Ch. 1, Pt. C funds.

Innovation and expansion activities (34 CFR 362.35). (a) The State plan must assure that the State will reserve and use a portion of the funds allotted to the State under section 110 of the Act- (2) To support the funding of-(ii) The Statewide Independent Living Council, consistent with the plan prepared under 34 CFR 364.21(i).

C. Distribution of Funds

Wisconsin's eight Independent Living Centers (ILCs) have agreed to a formula that will be utilized to determine the distribution of the funds to each ILC, based on the Wisconsin Independent Living Centers State Grant Continuation Plan and Budget. The formula is based on achieving an equitable base of funding to each ILC as outlined and approved each year under the SPIL and the State Resource Plan. If formula changes are requested by the ILCs, DHS/DPH is to consult with DWD/DVR, prior to any agreement.

2. ACCOUNTABILITY

DWD/DVR Contact Person: David Knuth
 Title: DVR Contract Specialist
 Agency Phone Number: 608-266-0177
 Agency Email Address: David.Knuth@dwd.wisconsin.gov

DHS/DPH Contact Person: Lisa Sobczyk
 Title: Supervisor, Office for Physical Disabilities and Independent Living
 Agency Phone Number: 608-266-9354
 Agency Email Address: Lisa.Sobczyk@dhs.wisconsin.gov

3. REVIEW CYCLE PERIOD

As the DSE, DHS/DPH will maintain responsibility for program monitoring and conduct program and fiscal reviews of each ILC by reviewing the annual Program Performance Reports (PPR) against the approved plans. The annual PPRs will also be provided to DWD/DVR.

DWD/DVR will review monitoring reports provided by DHS/DPH for the use of Social Security Act funds for Independent Living Services, and an expense to budget comparison provided by DHS/DPH.

ILCs shall submit program and budget reports demonstrating that the funds were used appropriately towards the completion of the activities and budget in the plan approved by DHS/DPH. ILCs will submit the annual PPR to DHS/DPH to document the use of funding provided to each of the ILCs for the delivery of required core Independent Living Services identified by federal regulations, and/or activities and services identified in the approved SPIL.

A. Invoice Requirements

DHS/DPH will invoice DWD/DVR on a quarterly basis for actual expenses paid for with Social Security Act funds for Independent Living. The annual PPR for each ILC will be submitted to DWD/DVR on an annual basis.

Invoices must be submitted to DWD/DVR within 45 days of the end of the quarter. Invoices to be addressed as follows:

DWD – DIV OF VOC REHAB
 ATTN: DVR BUDGET ANALYST
 PO BOX 7852
 MADISON, WI 53707-7852

The invoice will then be entered into STAR as an inter-agency invoice and either faxed to (608) 327-6012 (preferred) or sent via e-mail to Einvoice@dwd.wisconsin.gov. There is no need to mail in a hard copy of the invoice, if the above steps are followed.

B. Terms of the Agreement

This agreement shall begin on date of signature and remain in effect as long as funding remains unchanged and intact. Any changes requested by either party will be negotiated and further specified as amendments to this MOA.

Target Review Date: June 30th on an annual basis.

4. TERMINATION WITH NOTICE

Either party can terminate this MOU with a 30-calendar-day notice. Other technical assistance or projects identified by either party during the MOU will be negotiated and further specified as modifications to this MOU. These modifications will be written and signed by the proper representatives of each agency and identify the exact nature of the assistance to be provided. Fiscal specifications, if any, need to be identified. These agreements will be attached as modifications or as clarifications to this MOU.

Exhibit A

Wisconsin Independent Living Centers State Fiscal Year Grant Continuation Packet

Social Security Reimbursement Funds

ATTACHMENT 2 (SFY Contract): Social Security Reimbursement Funds

This document is the Scope of Work that the GRANTEE shall provide the GRANTOR. Specifically, the GRANTEE will provide Independent Living Services at the GRANTEE'S Independent Living Center (ILC) location(s) and within their service area for the State Fiscal Year.

SCOPE OF WORK

GRANTEE

- A. All Social Security Reimbursement Funds contract funding shall be used to support operations of the ILC and to fund staff time and activities, appropriate travel expenses, supplies, and appropriate administrative costs to deliver Independent Living Services to consumers.
- B. The GRANTEE will ensure that people with disabilities have access to the core Independent Living Services including:
 - Information and Referral,
 - Advocacy,
 - Peer Support,
 - Independent Living Skills Training, and
 - Services that provide full access to community life for individuals with significant disabilities. The new core service includes services that:
 - Facilitate the transition of individuals with significant disabilities from nursing homes and other institutions to home and community-based residences, with the requisite supports and services;
 - Provide assistance to individuals with significant disabilities who are at risk of entering institutions, so that the individuals may remain in the community; and
 - Facilitate the transition of youth who are individuals with significant disabilities, who were eligible for individualized education programs under the Individuals with Disabilities Education Act and who have completed their secondary education, or otherwise left school, to postsecondary life.
- C. IL Services are provided to people with disabilities. To promote utilization of IL Services, the services should be accessible both physically and programmatically. ILCs must have the ability to provide services in a private and confidential manner, promote a welcoming and inviting service delivery model, be culturally competent, be able to communicate with persons of differing abilities, and be available at a location preferred by and a time convenient to the individual receiving services.
- D. Staff providing Independent Living Services at the ILC will provide data on the services (See item B of Scope of Work). Each ILC will send their annual Program Performance Report (PPR) to DHS for Federal Fiscal Year (October 1,–September 30) by December 31 on an annual basis. Please submit annual PPR via email to: DHSWistech@dhs.wisconsin.gov.

E. Expanded Allowable Expenses:

- An ILC's service delivery model is determined by the ILC. Salaries and pay for staff providing services from remote or alternate locations are allowable costs. It is allowable to take a reasonable amount of time to respond to remote work arrangements, social distancing guidelines, and other constraints that have resulted from the COVID-19 pandemic or other related public health emergency. It is not acceptable to suspend all services for the duration of the pandemic. If you have or anticipate a need to suspend IL Services you should contact your DHS grant administrator immediately for guidance.
- It is allowable to pay for technology and ILCs are encouraged to use technology to enable and support the provisions of services. Funds can be used to expand and/or utilize technology for consumers and staff with the intent of reaching more consumers; this may include remote service delivery technology and equipment (e.g. web or cloud based case management systems, laptops, cellphones, assistive technology, and telecommunication). Funding may also support the training necessary for consumers and staff to effectively utilize technology and equipment.
- ILCs may purchase personal protective equipment, goods, and services that advance the safety and health of both staff and consumers. Supplies such as masks and gloves and personal care necessities (e.g. toilet paper, soap, and hand sanitizer) needed to keep both staff and consumers safe when providing in-person services are allowable.
- It is allowable to utilize these funds to support direct services and activities that help people with disabilities stay connected to or reconnect with the services and supports they need to stay safely in their homes during the COVID-19 pandemic. Appropriate areas of emphasis include:
 - Service coordination during and after the COVID-19 pandemic;
 - Services and activities that assist individuals with disabilities who are at risk of being institutionalized to remain in their communities;
 - Services and activities that assist individuals with disabilities to move from an institutional setting to a home in a community-based setting;
 - Services and activities that address the shortage of accessible housing;
 - Partnerships with local agencies that address food insecurity; and
 - Systems advocacy to ensure health equity in medical settings.

F. Each ILC will also be required to submit an annual budget report for Social Security Reimbursement Funds using the Budget Reporting Form (included in this grant continuation packet) on an annual basis. Please submit your Budget Reporting Form annually via email to: DHSWistech@dhs.wisconsin.gov by July 31st. The annual budget report must be submitted using attached Budget Reporting Form; other formats will not be accepted.

G. Submit invoice payment requests related to the Social Security Reimbursement Funds program award to the DHS Community Aids Reporting System (CARS). For CARS reporting forms and payment schedule, see DHS CARS webpage: dhs.wisconsin.gov/cars/index.htm.